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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,984	05/29/2001	David A. Monroe	081829.000049	7399

7590 04/03/2006

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EXAMINER

VO, TUNG T

ART UNIT PAPER NUMBER

2621

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/866,984	Applicant(s) MONROE, DAVID A.	
	Examiner Tung Vo	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/06/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 57 and 61-64 is/are pending in the application.
 4a) Of the above claim(s) 1-56 and 58-60 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 57 and 61-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 57 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 57, the phrases “capable of” and “adapted to” are vague and indefinite and should be avoided. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 57, 61-62, and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly (US 5,986,803) in view of Kimura (US 4,547,815).

Re claim 57, Kelly teaches a hand-held, self-contained security and surveillance system capable of being hand carried by ground personnel for both local and remote identification of a target (100 of fig. 5), comprising: at least one sensor module (120 of fig. 5); a base housing common electronics (100 of fig. 5) for a plurality of sensor modules (120, 122, 146, 148 of fig.

2); a connector (114, 116 of fig. 1) provided in the base (122 of fig. 5); wherein the sensor module (120 of fig. 1) is mounted on the main body (102 of fig. 5) and connected to the connector (122 of fig. 5) for holding the sensor module (120 of fig. 5) in position and for connecting the sensor module to the electronics housed in the base (114 of fig. 1 and 122 of fig. 5); wherein the mounting body (102 of fig. 1) and the connector (114 of fig. 1) are coupled any of a plurality of sensor modules (units) selected from a group consisting of: a high performance day module a high performance night module, a high laser range finder; a forward looking infrared module; a radio frequency probe module; and a nuclear, biological and chemical detector (col. 3, lines 10-21).

It is noted that Kelly does not particularly teach a mounting rail on the base as claimed.

However, Kimura teaches a shoe (23 of fig. (6b)) is considered as a mounting rail on the base (1 of fig. (6b)) for attachment of the electronic finder (5 of fig. 7; col. 6, lines 49-57).

Therefore, taking the teachings of Kelly and Kimura as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Kelly into Kimura to attach and remove any suitable electronic device such as the electric finder to the camera based anytime. Doing so would allow the user to use any one of suitable and conventional sensor modules in the portable or handheld device that reduce the cost as suggested by Kelly (col. 7, lines 1-18).

Re claim 61, Kelly further teaches wherein the base includes a viewfinder (132 of fig. 1) and a display screen (124 of fig. 6b).

Art Unit: 2621

Re claim 62, Kelly further teaches wherein there is further included a self- contained power supply in communication with the base for driving the base electronics and the module electronics (122 of fig. 5).

Re claim 64, Kelly further teaches wherein the base further includes a contained memory system for storing data captured by the sensor module (138 of fig. 5).

2. Claim 63 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly (US 5,986,803) in view of Kimura (US 4,547,815) as applied to claim 57, and further in view of Hurwitz (US 5,568,205).

Re claim 63, the combination of Kelly and Kimura does not particularly teach wherein the base includes communications equipment for transmitting data captured by the sensor module to a remote location as claimed.

However, Hurwitz teaches the base includes communications equipment for transmitting data captured by the sensor module to a remote location (33 and 34 of fig. 2).

Therefore, taking the combined Kelly, Kimura, and Hurwitz as a whole, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Hurwitz in order to providing a better quality and more quickly produced production product of video image.

Doing so would be of sufficiently high quality for review of the audio visual images so that editing of those images can be done and then the high quality counterparts of those segments can be quickly extracted from the original high quality video tape when it returns from the field.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Tung Vo
Primary Examiner
Art Unit 2621